



Issue Date: 15 March 2010

CASE NO: 2009-ERA-00016

*In the Matter of:*

SAPORITO ENERGY CONSULTANTS and  
THOMAS SAPORITO,  
*Complainants,*

v.

U.S. NUCLEAR REGULATORY COMMISSION,  
*Respondent.*

**ORDER PERMITTING RESPONSE TO REQUEST TO WITHDRAW CLAIM**

By way of a pleading dated March 7, 2010, and received in this Office on March 12, 2010, Complainants have purportedly withdrawn their complaint under Rule 41 of the Rules of Practice and Procedure of the Office of Administrative Law Judges, U.S. Department of Labor. Complainants' submission is deemed to be a motion for leave to withdraw their objections to the findings of the Occupational Safety and Health Administration under 29 CFR § 24.111(c), which is the regulatory provision applicable to this matter. Accordingly, IT IS ORDERED:

1. That Respondent shall, not later than March 29, 2010 (postmark date) submit its response, if any it has, to Complainant's motion to withdraw their objections to the OSHA findings; and
2. That a ruling on Respondent's pending motion for summary decision will be held in abeyance until such time as a ruling is issued on Complainants' motion to withdraw their objections.

**SO ORDERED.**

A handwritten signature in black ink that reads "Paul Johnson".

**PAUL C. JOHNSON, JR.**  
Administrative Law Judge

**SERVICE SHEET**

Case Name: SAPORITO\_THOMAS\_v\_US\_NUCLEAR\_REGULATOR\_

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Document Title: **ORDER PERMITTING RESPONSE TO REQUEST TO WITHDRAW CLAIM**

I hereby certify that a copy of the above-referenced document was sent to the following this 15th day of March, 2010:

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**SERVICE SHEET** continued (2009ERA00016 Order)

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